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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DAWN VALLI and ANTON S. DUBINSKY, on
Behalf of Themselves and All Others Similarly
Situating,

Plaintiffs,

vs.

AVIS BUDGET GROUP, INC., a Delaware
corporation, AVIS BUDGET CAR RENTAL, LLC,
AVIS RENT A CAR SYSTEM, LLC, AND
BUDGET RENT A CAR SYSTEM, INC.,

Defendants.

Civ. Action No. 2:14-cv-06072 (JBC)

**JOINT MOTION TO FILE
UNDER SEAL PLAINTIFFS'
OCTOBER 3, 2022 REPLY
LETTER BRIEF**

Pursuant to Local Civil Rule 5.3(c)(2), and in accordance with this Court's Letter Order of April 26, 2023 [DE 223], Plaintiffs Dawn Valli and Anton S. Dubinsky ("Plaintiffs") and Defendants Avis Budget Group, Inc., Avis Budget Car Rental, LLC, Avis Rent a Car System, LLC, and Budget Rent a Car System, Inc. ("Defendants"), by their respective counsel, have

conferred regarding their disputes set forth in their October 17, 2022 joint motion to file under seal [*DE 214*] (the “Prior Motion to Seal”), and state as follows:

1. The Prior Motion to Seal sought a Court Order sealing certain portions of Plaintiffs’ Reply Letter Brief dated October 3, 2022 (“Plaintiffs’ October 3, 2022 Reply”) [*DE 213*].

2. Through the Prior Motion to Seal, the Parties agreed that Plaintiffs’ Opening Letter Brief [*DE 210*] may be unsealed and filed publicly in its entirety.

3. As set forth in Exhibit A to the Declaration of Jason E. Hazlewood, Esq., which was filed with the Prior Motion to Seal (“Hazlewood Decl.”), the Parties disputed whether certain of the proposed redactions to Plaintiffs’ October 3, 2022 Reply should remain sealed and redacted.

4. The Prior Motion to Seal was administratively terminated by the Court’s Letter Order of April 26, 2023 [*DE 223*].

5. The Parties have conferred in good faith to narrow the scope of their disputes regarding the redactions to Plaintiffs’ October 3, 2022 Reply.

6. Defendants request that the Court maintain under seal the redactions on Page 2, footnote 4 of Plaintiffs’ October 3 2022 Reply, from Page 2, fn 4 from “See, e.g.” to the end of the sentence (“Footnote 4 Redaction”), on the basis that Footnote 4 Redaction references, quotes, or identifies Defendants’ and/or Defendants’ business partners’ confidential, proprietary business information. [*See Hazlewood Decl. ¶¶ 5-9.*]

7. Defendants counsel has explained that disclosure of the material contained in the Footnote 4 Redaction would harm Defendants’ and/or Defendants’ business partners’ business relationships, future contract negotiations and ability to compete, and that this information

cannot be protected unless certain sections are redacted from public version.

8. Redacting portions of brief is less restrictive than sealing the entire document.

9. Plaintiffs take no position as to the Footnote 4 Redaction.

10. Defendants agree to withdraw the request for sealing the following portions of the Plaintiffs' October 3, 2022 Reply:

- a. Page 2, after "Budget brands" to the end of the paragraph;
- b. Page 2, fn 6 in its entirety;
- c. Page 3, "although" to "Defendants"; and
- d. Pages 4-5 "ABG (ii) emails from an" to the end of the paragraph.

11. Accordingly, Defendants respectfully move this Court to Order the sealing of the Footnote 4 Redaction to Plaintiffs' October 3, 2022 Reply. A proposed Order is submitted with this Joint Motion.¹

Respectfully submitted,

Dated: May 25, 2023

By: /s/ Aaron M. Bender

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¹ Plaintiffs only join this motion because it is required by Civ. Loc. R. 5.3. Plaintiffs take no position as to Defendants' sealing request concerning the Footnote 4 Redaction.

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Dated: May 25, 2023

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CERTIFICATE OF SERVICE

I, Aaron M. Bender, hereby certify that on May 25, 2023, I caused a copy of (a) the foregoing Motion, (b) the Proposed Order, and (c) this Certificate of Service to be served electronically on all counsel of record through email and the Court's CM/ECF system.

/s/ Aaron M. Bender

Aaron M. Bender